



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500  
DENVER, COLORADO 80202-2466

RECEIVED

U.S.D.O.E.

REC'D - MAIL ROOM

APR 20 A 9:00

Ref: 8HWM-FF

April 16, 1992

Mr. Frazer Lockhart  
U.S. Department of Energy  
Rocky Flats Office  
P.O. Box 928  
Golden, CO 80402-0928

RE: Technical Memorandum  
No. 6, Operable Unit 1

Dear Mr. Lockhart:

EPA and the Colorado Department of Health (CDH) have reviewed the above referenced document. Due to the deficiencies identified in the enclosed review comments, we have jointly concluded that Technical Memorandum No. 6 (TM 6) does not satisfy the requirements of the Interagency Agreement (IAG) for submittal of a complete and adequate document. We therefore jointly disapprove TM 6 and expect the document to be revised consistent with our comments.

Additionally, the Department of Energy (DOE) is hereby notified that submittal of a draft Operable Unit 1 RFI/RI Report which does not incorporate the revisions described herein will be considered by the regulatory agencies as failure to submit an adequate primary document. Such failure is subject to enforcement actions including the assessment of stipulated penalties.

DOE must develop the baseline risk assessment for Operable Unit 1 to satisfy the following general expectations:

- a. EPA and CDH expect to see a quantitative risk assessment for the current on site exposed populations (e.g., DOE employees or contractor employees) in the baseline risk assessment.
- b. EPA and CDH expect to see a quantitative risk assessment for future on site receptors associated with residential use, commercial/industrial use, and ecological preserve use of Operable Unit 1.
- c. EPA and CDH expect the baseline risk assessment to consider exposure to currently known levels of contamination as determined through remedial investigation activities.

Although the preservation of areas of Rocky Flats Plant for an ecological preserve may be consistent with DOE policy, it is

ADMIN RECORD

A-DU01-000368

Printed on Recycled Paper

our position that consistency with DOE policy is not adequate justification for limiting quantitative consideration of land use alternatives in the baseline risk assessment. As stated in the National Contingency Plan (55 Fed. Reg. 8710), "[w]here the likely future land use is unclear, risks assuming residential land use can be compared to risks associated with other land uses, such as industrial, to estimate the risk consequences if the land is used for something other than the expected future use." Since there is much uncertainty surrounding long term future land use at the Rocky Flats Plant, we believe that TM 6 should reflect consideration of a range of possible future land use alternatives for Operable Unit 1. This approach will generate sufficient information on which to base risk management decisions. An analysis of whether the alternative scenarios are credible, plausible, or improbable is appropriate as part of the uncertainty analysis. All of this information will be taken into account during the risk management/remedy selection phases of the feasibility study.

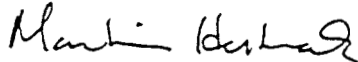
As stated previously in meetings between our respective staffs, EPA and CDH emphasize that including residential land use in the risk assessment does not necessarily dictate that the site will be remediated based on the assumption of residential use. A risk assessment which considers residential use may be used to justify no action or a remedy which includes institutional controls. The role of the baseline risk assessment is to address the risk associated with a site in the absence of any remedial action or control, including institutional control. The baseline risk assessment is not the proper place to take institutional controls into account. Quantitative evaluation of residential use as well as other land uses in the baseline risk assessment gives decision makers more information when considering various risk management options.

Our overriding impression in reviewing this document is that DOE is attempting to make risk management decisions before the appropriate risk assessment is complete. This is inappropriate and will not be accepted by EPA and CDH.

As this subject is fundamental to the risk assessment process and development of remediation goals, the enclosed comments must be addressed and reflected in the Operable Unit 1

baseline risk assessment. If DOE has any questions or concerns about these comments, we urge you to contact Joe Schieffelin of CDH at (303) 331-4421 or Bonnie Lavelle of EPA at (303) 294-1067 as soon as possible.

Sincerely,



Martin Hestmark, EPA  
Manager,  
Rocky Flats Project



Gary Baughman, CDH  
Unit Leader  
Hazardous Waste Facilities

cc: Joe Schieffelin, CDH  
Barbara Barry, CDH/RFP  
Bruce Thatcher, DOE  
Scott Grace, DOE  
Dennis Smith, EG&G